

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

RUBBERMAID COMMERCIAL)
PRODUCTS, LLC,)
Plaintiff,) Case No.: 2:13-cv-02144-GMN-GWF
vs.)
TRUST COMMERCIAL PRODUCTS and)
TAIZHOU YINSHAN BRUSH CO., LTD.,)
Defendants.)
ORDER

Pending before the Court is the Report and Recommendation of United States Magistrate Judge Foley. (ECF No. 99.) Objections were due by June 9, 2014. No objections have been filed. For the reasons discussed below, the Court will accept and adopt in full Judge Foley's Report and Recommendation to the extent that it is not inconsistent with this opinion.

I. BACKGROUND

This action was referred to Judge Foley pursuant to 28 U.S.C. § 636(b)(1)(B) and District of Nevada Local Rule IB 1-4. Because of Defendants' failure to retain counsel, Judge Foley recommended that this Court enter an order striking Defendants' Answer and entering default against Defendants.

II. LEGAL STANDARD

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a de novo

1 determination of those portions of the Report to which objections are made. *Id.* The Court may
2 accept, reject, or modify, in whole or in part, the findings or recommendations made by the
3 Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. IB 3-2(b).

4 **III. DISCUSSION**

5 “A corporation may appear in federal court only through licensed counsel.” *United*
6 *States v. High Country Broad. Co.*, 3 F.3d 1244, 1245 (9th Cir. 1993). When a party fails to
7 abide by a court order and retain counsel for the duration of the litigation, the entry of default is
8 “perfectly appropriate.” *Id.* Despite the numerous opportunities provided to Defendants, they
9 failed to retain counsel. Thus, the Court hereby strikes Defendant’s Answer (ECF No. 29),
10 grants Plaintiff’s Motion for Preliminary Injunction (ECF No. 11), and denies Defendant’s
11 Motion to Strike (ECF No. 57). Plaintiff is hereby instructed to file a Motion for Default
12 Judgment in accordance with Rule 55(b)(2) of the Federal Rules of Civil Procedure.

13 **IV. CONCLUSION**

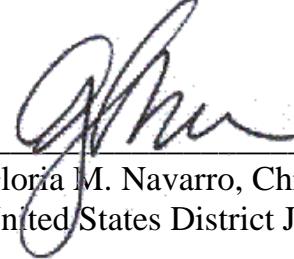
14 **IT IS HEREBY ORDERED** that the Report and Recommendation (ECF No. 99) be
15 **ADOPTED** and **ACCEPTED** in full, to the extent that it is not inconsistent with this opinion.

16 **IT IS FURTHER ORDERED** that Defendant’s Answer (ECF No. 29) is **STRICKEN**,
17 Plaintiff’s Motion for Preliminary Injunction (ECF No. 11) is **GRANTED**, and Defendant’s
18 Motion to Strike (ECF No. 57) is **DENIED**.

19 **IT IS FURTHER ORDERED** that the Motion Hearing currently set for Monday, June
20 23, 2014, at 9:00 AM, is hereby **VACATED**.

21 The clerk is hereby directed to enter default against Defendant Trust Commercial
22 Products and Defendant Taizhou Yinshan Brush Co., Ltd.

23 **DATED** this 12th day of June, 2014.

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25 
Gloria M. Navarro, Chief Judge
United States District Judge